



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/883,345 | 06/19/2001 | Livia Polanyi | 108978 | 9652 |
| 25944 | 7590 | 06/09/2005 | EXAMINER | |
| OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320 | | | SPOONER, LAMONT M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2654 | |

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/883,345 | POLANYI ET AL. | |
| | Examiner | Art Unit | |
| | Lamont M. Spooner | 2654 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 June 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-14 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 10 September 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/19/01</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1, 4, 11, and 13 are objected to because of the following informalities:

In claim 1, lines 8, 9 “compresses the constituents”, and all other references to compressed information wherein the applicant is referring to deletion, is confusing and unclear, as compression is not equivalent to deletion, as the applicant discloses deletion of constituents, yet claims compression. To an artisan, even absolute compression inherently requires some manner of compressed remnant, which is not deletion. The Examiner has interpreted compression of particular constituents as the deletion thereof in order to advance prosecution.

In claim 13, p. 25, line 21, “the verbs” lacks antecedent basis.

In claims 4 and 11, “the at least one content portion” p.24, line 21, p.25.line 15, respectively, lack antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5, 7, 8-10, 12, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Mase et al. (Mase 5,978,820).

As per **claims 1 and 8**, Mase discloses a system for generating text summaries of a content portion comprising at least one phrase, the system comprising:

A parts of speech determining circuit that determines the part of speech of constituents of the at least one phrase (c.10:15-19);

An informativity determining circuit that determines the informativity of the constituents of the at least one phrase based on the determined part of speech (c.10:24-26-text information analysis uses the information from the morphological analysis which includes the parts of speech of the constituents to determine informativity C.11.12-C.12.56 and Fig 19-all determined informativity components);

An informativity compressing circuit that compresses the constituents of the at least one phrase based on the determined informativity (c.9.11-15-includes informativity), grammatical readability (ibid-the Examiner Interprets (**EI**) the sentences, and conjunction options to indicate a degree of grammatical readability, c.6.40-43-grammar rules, c.15.32-35-grammatically readable compressed information) and a desired degree of compression (compression/summarization c.9.1:6-the EI the desired degree of compression can be achieved by setting parameter values which could constrict or loosely affect the resultant text output as defined freely by the setting thereof).

As per **claims 2 and 9**, Mase discloses dependent claim 1, and further discloses:

The informativity compressing circuit comprises an expletive connective adverb compressing circuit (c.9.11-16, 30-36-allows the parameter of compressing the expletive connective adverb-included in the compression, as the extraction/deletion of the adverb results in compression thereof).

As per **claims 3 and 10**, Mase discloses dependent claim 2, and further discloses a subordinate clause compressing circuit (C.9.11-37-indication of extraction or deletion of an imperative sentence, fact sentence, or opinion sentence-EI the compression to include subordinate clause compression, c.11.37-51-determination of clauses utilizing morphological analyses and parts of speech, c.10.31-c.11.2, c.15.5-37-subordinate clauses compressed as evidenced by the compressed output)

As per **claim 5 and 12**, Mase discloses dependent claim 1, and further discloses: at least one of a shallow syntactic parser, a deep parser, a tagger and a lexicon (c.10.15-23-see also Proceedings of 44th Annual Convention of Information Processing Society of Japan, Lecture papers 4P-7).

As per **claims 7 and 14**, Mase discloses dependent claim 1, claim 7 sets forth the informativity compression limitations similar to claim 1 and is rejected for the same reasons. Mase further discloses, c.3.29-32-the EI the continuous summary as the informativity compressing circuit having a continuous compression, allowing further compression with regard to the compression as discussed in claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mase in view of Kupiec et al. (Kupiec, US 5,918,240).

As per **claims 4 and 11**, Mase discloses dependent claim 1, but lacks explicitly teaching the at least one content portions are text summaries generated by an alternate text summary generating system. However, Kupiec teaches (text summary by alternate summary generating system is the content portion, Figs. 8, 9, 10, c.2.43-49, Fig 8 –the EI the manual generated summary as the alternate text summary). Therefore, at the time of the invention it would have been obvious to modify Mase with Kupiec by having the input content portion being an alternate summary. The motivation for doing so would have been to provide an extracting summarizer whose performance can be objectively evaluated (c.1.60-62).

6. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mase in view of Doi (US 5,077,668).

As per **claims 6 and 13**, Mase discloses dependent claim 2, but lacks explicitly teaching the expletive connective adverb compressing circuit further comprises a verb adjustment circuit. However, Doi teaches having a verb adjustment circuit (c.5.7-19, c.6.60-c.7.17-the EI the predicate to include the verb which is adjusted/converted. Therefore, at the time of the invention, it would have been obvious to modify Mase with Doi by including a verb adjustment circuit with expletive connective adverb compression circuit of Mase. The motivation for doing so would have been to retain only information with a correct part of speech (c.5.10,11).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2654

- Fein et al. (US 5,924,108) teaches having an informativity factor identifying readability.
- Grefenstette (US 6,289,304) teaches having a system for generating text summaries of a content portion, wherein a parts of speech determining circuit comprises a shallow syntactic parser, a deep parser, a tagger and a lexicon, and further teaches having a subordinate clause compressing circuit, and expletive connective adverb compressing circuit.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ims
5/31/05

Donald L. Storm
PATENT EXAMINER
AU 2654